

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LA UNIÓN DEL PUEBLO ENTERO, *et al.*,

Plaintiffs,

v.

STATE OF TEXAS, *et al.*,

Defendants.

Civil Action No. 5:21-cv-844 (XR)
(Consolidated Cases)

MOTION TO MODIFY SCHEDULING ORDER

The United States respectfully moves to modify the November 18, 2021 Scheduling Order, ECF No. 125, for good cause shown pursuant to Federal Rule of Civil Procedure 16(b)(4), to incorporate an agreement between all parties except the State Defendants to extend the deadline for Rule 26(a)(3) pretrial disclosures until May 20, 2022.

Good cause exists to modify the Scheduling Order to extend the pretrial disclosure deadline until May 20. Under the Scheduling Order, discovery does not close until May 13. Extending the deadline for pretrial disclosures until May 20 would facilitate coordination and a meaningful exchange of information, while still leaving a full month before the June 21 deadline for objections and motions in limine. *See* Scheduling Order at 2-3.

All Plaintiffs and the County Defendants have agreed to this proposal. The United States sought State Defendants' consent on March 23, 2022, and conferred with them on this matter on March 31, 2022. During that meeting, the State Defendants indicated their preliminary consent to the proposed modification, but noted their desire to include language regarding other aspects of the Scheduling Order in this motion. To date, and despite multiple inquiries from the United

States, including as recently as April 11, the State Defendants have not communicated further regarding this motion. The United States files the instant motion, therefore, in light of these impending discovery deadlines.

Having engaged in a good faith effort over several weeks to gain the consent of all parties, the United States respectfully requests the Court grant the motion to modify the Scheduling Order.

DATE: April 13, 2022

Respectfully submitted,

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/s/ Daniel J. Freeman
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CERTIFICATE OF CONFERRAL

Pursuant to Local Rule CV-7(G), I hereby certify that the United States met and conferred with counsel for all Plaintiffs and Defendants in this action regarding the proposed modification of the Scheduling Order on March 23, 24, 25, and 31. All Plaintiffs and County Defendants have consented to the proposed modification of the Scheduling Order. State Defendants have not.

/s/ Daniel J. Freeman

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CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2022, I electronically filed the foregoing with the Clerk of the court using the CM/ECF system, which will send notification of this filing to counsel of record.

/s/ Daniel J. Freeman

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